

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DUANE ANGELO GITTENS,

Petitioner,

v.

ON HABEAS CORPUS,

Respondent.

No. 2:22-cv-01708-KJM-EFB (HC)

ORDER

Mr. Gittens is a state prisoner without counsel. He has captioned this action as a “petition [to] the court to file [an] original bill of lading.” ECF No. 1. It is unclear whether Mr. Gittens intends to commence a civil action or an action sounding in habeas. Either way, Mr. Gittens must pay the filing fee required by 28 U.S.C. § 1914(a) (\$400 for civil actions; \$5 for habeas actions) or request leave to proceed in forma pauperis and submit the affidavit and trust account statement required by 28 U.S.C. § 1915(a). Mr. Gittens has neither paid the fee nor submitted a proper application for leave to proceed in forma pauperis.

Accordingly, Mr. Gittens has 30 days from the date of service of this order to submit either the filing fee or the application required by § 1915(a). The Clerk of the Court is directed to mail to Mr. Gittens a form application for leave to proceed in forma pauperis. Failure to comply with this order will result in dismissal of this action.

So ordered.

Dated: November 2, 2022.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE